

Remarks

The Office Action of July 23, 2007 has been carefully considered. In that Action, Claims 1-7, 11, 12, 25 and 30 were rejected. In response, the Applicants have amended Independent Claim 1. Claims 8-10, 13-24, 26-29 and 31-33; 34-38; 39; and 40 were previously withdrawn in response to an earlier restriction requirement. As such, Claims 1-7, 11, 12, 25 and 30 are pending with none of the claims currently being allowed.

35 U.S.C. §102

The Office rejects Claims 1-7, 11 and 25 as being anticipated by Hill *et al.* The Examiner asserts "...the yarns run in the x-direction, y-direction and z-direction, creating a fabric wherein the yarns systems run in at least three axes." In response, Applicant respectfully points out that "vertical" yarn (140a) of Fig. 1B is actually an x or y yarn that is taken from the warp or weft, and not actually a z-yarn. In other words, Hill teaches separate layers of 2-D fabric that are joined together by binding yarns taken from one or more of these separate layers, thereby creating cavities. The present invention pertains to a true 3-D fabric without such fabric layers. However, for purposes of expediting prosecution, independent Claim 1 has been amended to more clearly articulate the orientation of the x, y and z yarns relative to themselves and the other yarns. Applicant believes this amendment clearly overcomes Hill *et al.*

Applicant submits that no new matter has been introduced in amended Claim 1 because the originally filed Figures clearly showed the orientation of the 3-D fabric preform as claimed.

In light of the patentability of independent Claim 1, dependent Claims 2-7, 11 and 25 depending therefrom are likewise believed patentable.

35 U.S.C. §103

The Office rejected dependent Claims 12 and 30 as being unpatentable over of the combination of Hill *et al.* and Jayaraman. This rejection is deemed moot in light of the

amendment to Claim 1 that clearly distinguishes the present invention over Hill *et al.*, and the fact that Jayaraman does not provide this structure.

For at least the reasons given above, the Applicants believe that this Amendment places the case in condition for allowance. Such action is respectfully requested. If, however, any issue remains unresolved, a telephone call to expedite allowance and issue is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Edward W. Rilee". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

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